

REMARKS

The Official Action mailed August 1, 2006, and the Advisory Action mailed November 24, 2006, have been received and their contents carefully noted. This response supplements the *Response* filed November 1, 2006. Filed concurrently herewith is a *Request for Two Month Extension of Time*, which extends the shortened statutory period for response to January 1, 2007. Also, filed concurrently herewith is a *Request for Continued Examination*. Accordingly, the Applicant respectfully submits that this response is being timely filed.

Claims 1-14 and 16-23 were pending in the present application prior to the above amendment. Claims 1-8 and 16 have been amended to better recite the features of the present invention. New dependent claims 24-32 have been added to recite additional protection to which the Applicant is entitled. Accordingly, claims 1-14 and 16-32 are now pending in the present application, of which claims 1-8 and 16 are independent. For the reasons set forth in detail below, all claims are believed to be in condition for allowance. Favorable reconsideration is requested.

The Advisory Action continues to reject claims 1-14 and 16-23 as obvious based on the combination of U.S. Patent No. 6,599,818 to Dairiki and U.S. Patent Application Publication No. 2002/0056839 to Joo. The Applicant respectfully submits that a *prima facie* case of obviousness cannot be maintained against the independent claims of the present application, as amended.

As stated in MPEP §§ 2142-2143.01, to establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. Obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some

teaching, suggestion, or motivation to do so found either explicitly or implicitly in the references themselves or in the knowledge generally available to one of ordinary skill in the art. "The test for an implicit showing is what the combined teachings, knowledge of one of ordinary skill in the art, and the nature of the problem to be solved as a whole would have suggested to those of ordinary skill in the art." In re Kotzab, 217 F.3d 1365, 1370, 55 USPQ2d 1313, 1317 (Fed. Cir. 2000). See also In re Fine, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988); In re Jones, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992).


The prior art, either alone or in combination, does not teach or suggest all the features of the independent claims, as amended. Independent claims 1-4 have been amended to recite forming an island-like light-absorbing layer over the semiconductor layer with the insulating layer interposed therebetween so that the island-like light-absorbing layer covers the semiconductor layer and end portions of the island-like light-absorbing layer are arranged outside of the semiconductor layer. Independent claims 5-8 have been amended to recite forming an island-like light-absorbing layer that overlaps with a whole surface of the semiconductor layer through an insulating layer and whose end portions are arranged outside of the semiconductor layer. Independent claim 16 has been amended to recite providing an object to be heated between the glass substrate and the island-like light-absorbing layer so that the island-like light-absorbing layer covers the object to be treated and end portions of the island-like light-absorbing layer are arranged outside of the object to be treated, said island-like light-absorbing layer being capable of absorbing a pulsed light. The Applicant respectfully submits that Dairiki and Joo, either alone or in combination, do not teach or suggest the above-referenced features of the present invention.

Since Dairiki and Joo do not teach or suggest all the claim limitations, a *prima facie* case of obviousness cannot be maintained. Accordingly, reconsideration and withdrawal of the rejections under 35 U.S.C. § 103(a) are in order and respectfully requested.

New dependent claims 24-32 have been added to recite additional protection to which the Applicant is entitled. For the reasons stated above and already of record, the Applicant respectfully submits that new claims 24-32 are in condition for allowance.

Should the Examiner believe that anything further would be desirable to place this application in better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,



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